Minimum Rules for the Treatment of Prisoners, 55/ adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and to apply to all suspected/convicted persons article 14, paragraphs 3 (d), 5, 6 and 7 of the International Covenant on Civil and Political Rights; 20/

9. Expresses its concern at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

10. Urgently appeals to all Member States, humanitarian organizations and all parties concerned to cooperate fully, especially on the subject of mine detection and clearance, in order to facilitate the return of refugees and displaced persons to their homes in safety and dignity;

11. Also urgently appeals to all Member States and humanitarian organizations to continue to promote the implementation of the projects envisaged by the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

12. Urges all Afghan parties to undertake all necessary measures to ensure the safety of the personnel of humanitarian organizations involved in the implementation of the United Nations humanitarian and economic assistance programmes relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees;

13. Also urges the authorities in Afghanistan to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

14. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

15. Decides to keep under consideration, during its forty-eighth session, the situation of human rights in Afghanistan in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

55/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1).

DRAFT RESOLUTION XXI

The situation in the Sudan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 11/ the International Covenants on Human Rights, 20/ and the International Convention on the Elimination of All Forms of Racial Discrimination, 56/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

Recalling the resolution adopted at Dakar by the Organization of African Unity on the strengthening of cooperation and coordination among African States, and recalling the Addis Ababa Agreement of July 1990,

Noting with deep concern reports of grave human rights violations in the Sudan, particularly summary executions, detentions without trial, forced displacement of persons and torture, described in part in the reports submitted to the Commission on Human Rights at its forty-eighth session by the Special Rapporteurs on Torture and on Summary or Arbitrary Executions,

Noting the announcement by the Government of the Sudan of its intention to constitute an independent judicial inquiry commission to investigate the killings of Sudanese nationals employees of foreign government relief organizations,

Deeply concerned that access by the civilian population to humanitarian assistance is being impeded, which poses a threat to human life and an offence to human dignity,

Alarmed by the large number of internally displaced persons and victims of discrimination in the Sudan, including members of minorities who have been forcibly displaced in violation of their human rights and who are in need of relief assistance and of protection,

Alarmed also by the mass exodus of refugees into neighbouring countries, and conscious of the burden that this places on those countries, but expressing its appreciation for the continuing efforts to assist them, thereby easing the burden on host countries,

Emphasizing that it is essential to put an end to the serious deterioration of the human rights situation in the Sudan,

---

56/ See resolution 2106 A (XX), annex.

Welcoming the efforts of the United Nations and other humanitarian organizations to provide humanitarian relief to those Sudanese in need,

1. Expresses its deep concern at the serious human rights violations in the Sudan, including summary executions, detentions without due process, forced displacement of persons and torture;

2. Urges the Government of the Sudan to respect fully human rights, and calls upon all parties to cooperate in order to ensure such respect;

3. Calls upon the Government of the Sudan to comply with applicable international human rights instruments, in particular the International Covenants on Human Rights and the Convention on the Elimination of All Forms of Racial Discrimination, to which the Sudan is a party, and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy the rights recognized in those instruments;

4. Calls upon all parties to the hostilities to respect fully the applicable provisions of international humanitarian law including article 3 of the Geneva Conventions of 1949, and the additional protocols thereto, to halt the use of weapons against the civilian population, to protect all civilians from violations, including arbitrary detention, ill-treatment, torture and summary execution;

5. Expresses its appreciation to the humanitarian organizations for their work in helping displaced persons and drought and conflict victims in the Sudan, and calls on all parties to protect humanitarian relief workers;

6. Calls upon the Special Rapporteur on Summary or Arbitrary Executions to address the killing of Sudanese nationals employees of foreign government relief organizations;

7. Calls upon the Government of the Sudan to ensure a full, thorough and prompt investigation of the killings of Sudanese nationals employees of foreign government relief organizations by the independent judicial inquiry commission, to bring to justice those responsible for the killings and to provide just compensation to the families of the victims;

8. Calls upon all parties to permit international agencies, humanitarian organizations and donor Governments to deliver humanitarian assistance to the civilian population and to cooperate with the recent initiatives of the Department of Humanitarian Affairs of the Secretariat to deliver humanitarian assistance to all persons in need;

9. Recommends that the serious human rights situation in the Sudan be monitored, and invites the Commission on Human Rights at its forty-ninth session to give urgent attention to the situation of human rights in the Sudan;

10. Decides to continue its consideration of this question at its forty-eighth session.

DRAFT RESOLUTION XXII

Human rights in Haiti

The General Assembly,

Recalling its resolutions 46/7 of 11 October 1991 and 46/138 of 17 December 1991,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 11/ and the International Covenants on Human Rights, 20/

Aware of its responsibility for the promotion and encouragement of respect for human rights and fundamental freedoms for all, and resolved to keep a close watch on human rights violations wherever they may occur,

Reaffirming that all Member States are required to promote and protect human rights and to comply with the obligations laid down in the various instruments in this field,

Taking note of Commission on Human Rights resolution 1992/77 of 5 March 1992 15/ by which the Commission decided to appoint a special rapporteur with a mandate to prepare a report on the situation of human rights in Haiti based on the information which the special rapporteur deems relevant, especially information supplied by the Organization of American States, with a view to submitting an interim report to the General Assembly at its forty-seventh session and a report to the Commission on Human Rights at its forty-ninth session,

Deeply concerned about the grave events occurring in Haiti since 29 September 1991, which abruptly and violently interrupted the democratic process in that country and have resulted in the loss of human lives and the violation of human rights,

Concerned also at the mass exodus of Haitian nationals from the country because of the deteriorating political and economic situation since 29 September 1991,

Deeply alarmed by the persistence and worsening of serious violations of human rights, in particular summary and arbitrary executions, forced disappearances, reports of torture and rape, arbitrary arrests and detentions and denial of freedom of expression, assembly and association,

Welcoming the measures taken by the Secretary-General of the United Nations to express support for the Organization of American States, in particular through the participation of his Personal Representative in the mission of the Secretary-General of the Organization of American States that visited Haiti from 19 to 21 August 1992,

1. Commends the Special Rapporteur of the Commission on Human Rights for his report on the situation of human rights in Haiti 57/ and supports the recommendations contained therein;

2. Once again condemns the overthrow of the constitutionally elected President, Mr. Jean-Bertrand Aristide, the use of violence and military coercion and the subsequent deterioration of the situation of human rights in that country;

3. Expresses its deep concern about the substantial worsening of the human rights situation in Haiti during the year 1992 and the resulting increase in violations of the human rights embodied in the International Covenant of Civil and Political Rights, the International Covenant of Economic, Social and Cultural Rights, the American Convention on Human Rights and other international human rights instruments;

4. Condemns the recurrence of the flagrant human rights violations committed under the illegal government that took power following the coup of 29 September 1991, in particular summary executions, arbitrary arrests and detentions, torture, searches without warrant, rape, restrictions on freedom of movement, expression, assembly and association and the repression of popular demonstrations calling for the return of President Jean-Bertrand Aristide;

5. Calls the attention of the international community to the fate of the Haitian nationals who are fleeing the country not only, as pointed out by the Special Rapporteur in his report, because of the serious deterioration in economic and social conditions, but also because of indiscriminate political persecution and repression;

6. Expresses its appreciation to the Office of the United Nations High Commissioner for Refugees for the work it is doing in favour of the Haitian nationals fleeing the country and invites Member States to continue to give financial and material support to its efforts;

7. Calls upon the Member States of the United Nations and other international organizations to increase their humanitarian assistance to the people of Haiti, to support all efforts to resolve the problems of displaced persons and to encourage the strengthening of institutional coordination among the United Nations specialized agencies and between the United Nations and the Organization of American States;

8. Decides to keep the situation of human rights and fundamental freedoms in Haiti under review during its forty-eighth session and to consider it further in the light of the information supplied by the Commission on Human Rights and the Economic and Social Council.

57/ A/47/621.

DRAFT RESOLUTION XXIII

Situation in Myanmar

The General Assembly,

Recalling its resolution 46/132 of 17 December 1991,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights, 11/ the International Covenants on Human Rights 20/ and other applicable human rights instruments,

Aware that, in accordance with the Charter, the Organization promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government",

Recalling Commission on Human Rights resolution 1992/58 of 3 March 1992, 15/ in which the Commission, inter alia, decided to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar, and to report to the General Assembly at its forty-seventh session and to the Commission at its forty-ninth session,

Noting the measures taken by the Government of Myanmar, including its accession to the Geneva Conventions of 1949 50/ on the protection of victims of war, the release of a number of political prisoners, the lifting of the curfew, the revocation of certain martial laws and the reopening of the universities, in response to the concerns expressed by the international community, including the General Assembly and the Commission on Human Rights,

Gravely concerned that the Government of Myanmar still has not implemented its commitments to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Gravely concerned also at the continued seriousness of the situation of human rights in Myanmar, including reports of torture and arbitrary execution, continued detention of a large number of persons for political reasons, the existence of important restrictions on the exercise of fundamental freedoms and the imposition of oppressive measures directed in particular at ethnic and religious minorities,

Noting that the human rights situation in Myanmar has consequently resulted in massive flows of refugees to neighbouring countries,

Deeply concerned at the continuing problem of large numbers of refugees from Myanmar in neighbouring countries, including the almost 265,000 Myanmar Rohingya refugees in Bangladesh,

1. Expresses its appreciation to the Special Rapporteur of the Commission on Human Rights for his preliminary report 58/ and the recommendations contained therein;

2. Calls upon the Government of Myanmar to extend its full and unreserved cooperation to the Special Rapporteur and to ensure that he has free access to any person in Myanmar whom he deems it appropriate to meet for the conduct of his mandate;

3. Expresses its grave concern about the continued seriousness of the human rights situation in Myanmar;

4. Urges the Government of Myanmar to take all necessary steps towards the restoration of democracy, fully respecting the will of the people as expressed in the democratic elections held in 1990;

5. Also urges the Government of Myanmar to take every appropriate measure to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights and to accelerate the process of transition to democracy, in particular through the transfer of power to the democratically elected representatives;

6. Urges the Government of Myanmar to ensure full respect for human rights and fundamental freedoms and the protection of the rights of persons belonging to ethnic and religious minorities;

7. Notes the release of a number of political leaders from detention;

8. Deeply regrets, however, that many political leaders are still deprived of their freedom and their fundamental rights;

9. Calls upon the Government of Myanmar to release unconditionally the Nobel Peace Laureate Aung San Suu Kyi, who is now in her fourth year of detention without trial, and other political leaders and remaining political prisoners;

10. Also calls upon the Government of Myanmar to respect fully the obligations of the Geneva Conventions of 1949, in particular the obligations in common article III, and to make use of such services as may be offered by impartial humanitarian bodies;

58/ A/47/651, annex.

11. Requests the Government of Myanmar to invite the presence in Myanmar of the International Committee of the Red Cross in order for it to carry out its humanitarian tasks;

12. Calls upon the Government of Myanmar to create the necessary conditions to ensure an end to the flows of refugees to neighbouring countries and to facilitate their speedy repatriation and to cooperate fully with the relevant United Nations organs on this matter;

13. Decides to continue its consideration of this question at its forty-eighth session.

DRAFT RESOLUTION XXIV

Situation of human rights in Iraq

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 11/ and the International Covenants on Human Rights, 20/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights and to other human rights instruments,

Recalling its resolution 46/134 of 17 December 1991, in which it expressed its deep concern at the flagrant violations of human rights by the Government of Iraq,

Recalling also Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq should cooperate with humanitarian organizations and ensure that the human and political rights of all Iraqi citizens were respected,

Recalling in particular Commission on Human Rights resolution 1991/74 of 6 March 1991, 12/ in which the Commission requested its Chairman to appoint a special rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the special rapporteur might deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq,

Recalling the pertinent resolutions of the Commission on Human Rights condemning the flagrant violations of human rights by the Government of Iraq, including its most recent, resolution 1992/71 of 5 March 1992, 15/ by which the Commission extended the mandate of the Special Rapporteur for a further year and requested him in pursuing his mandate to visit again the northern area of Iraq, in particular, and to submit an interim report to the General Assembly at its forty-seventh session and a final report to the Commission at its forty-ninth session,

Recalling also Security Council resolutions 706 (1991) of 15 August 1991, 712 (1991) of 19 September 1991 and 778 (1992) of 2 October 1992,

Deeply concerned by the massive and grave violations of human rights by the Government of Iraq, such as summary and arbitrary executions, torture and other cruel, inhuman or degrading treatment, enforced or involuntary disappearances, arbitrary arrests and detentions, lack of due process and the rule of law and of freedom of thought, of expression, of association and of access to food and health care,

Deeply concerned also by the fact that chemical weapons have been used on the Iraqi civilian population, by the forced displacement of hundreds of thousands of Iraqi civilians and by the destruction of Iraqi towns and villages, as well as by the fact that tens of thousands of displaced Kurds had to take refuge in camps and shelters in the north of Iraq,

Deeply concerned further by the current severe and grave violations of human rights by the Government of Iraq against the civilian population in southern Iraq, in particular the Shiah communities in the southern marshes,

Expressing concern in particular that there has been no improvement in the human rights situation in Iraq, and, therefore, welcoming the Special Rapporteur's proposal for the deployment of a team of human rights monitors in Iraq,

Noting that, despite the formal cooperation extended to the Special Rapporteur by the Government of Iraq, that cooperation needs to be improved, in particular by giving full replies to the Special Rapporteur's inquiries about acts being committed by the Government of Iraq that are incompatible with the international human rights instruments that are binding on that country,

1. Takes note with appreciation of the interim report on the situation of human rights in Iraq 59/ submitted by the Special Rapporteur of the Commission on Human Rights and the observations, conclusions and recommendations contained therein;

59/ A/47/367 and Add.1.

2. Expresses its strong condemnation of the massive violations of human rights, of the gravest nature, for which the Government of Iraq is responsible and to which the Special Rapporteur has referred in his recent reports, in particular:

(a) Summary and arbitrary executions, orchestrated mass executions and burials, extrajudicial killings, including political killings, in particular in the northern region of Iraq, in southern Shiah centres and in the southern marshes;

(b) The widespread routine practice of systematic torture in its most cruel forms, including the torture of children;

(c) Enforced or involuntary disappearances, routinely practised arbitrary arrest and detention, including of women and children and consistent and routine failure to respect due process and the rule of law;

(d) Suppression of freedom of thought, expression and association, and violations of property rights;

3. Deplores Iraq's refusal to cooperate in the implementation of Security Council resolutions 706 (1991) and 712 (1991), and its failure to provide the Iraqi population with access to adequate food and health care;

4. Calls upon the Government of Iraq to release immediately all persons arbitrarily arrested and detained, including Kuwaitis and nationals of other States;

5. Calls once again upon Iraq, as a State party to the International Covenant on Economic, Social and Cultural Rights as well as to the International Covenant on Civil and Political Rights, to abide by its freely undertaken obligations under the Covenants and under other international instruments on human rights, and particularly to respect and ensure the rights of all individuals irrespective of their origin within its territory and subject to its jurisdiction;

6. Recognizes the importance of the work of the United Nations in providing humanitarian relief to the people of Iraq, and calls upon Iraq immediately and fully to implement the Memorandum of Understanding between the United Nations and the Government of Iraq and to cooperate with the United Nations programmes, including ensuring the safety and security of United Nations personnel and humanitarian workers;

7. Expresses special alarm at the repressive policies and practices directed against the Kurds, which continue to have an impact on the lives of the Iraqi people as a whole;

8. Also expresses special alarm at the resurgence of grave violations of human rights against Shiah communities, especially in southern Iraq, which is the result of a preconceived policy against the marsh Arabs in particular;

9. Further expresses its special alarm at all internal embargoes, which prevent the equitable enjoyment of basic foodstuffs and medical supplies, and calls upon Iraq, which has sole responsibility in this regard, to remove them;

10. Welcomes the Special Rapporteur's proposal for a system of human rights monitors which would constitute an independent and reliable source of information, and invites the Commission on Human Rights to follow up this proposal at its forty-ninth session;

11. Urges once more the Government of Iraq to set up an independent commission of inquiry to look into the fate of tens of thousands of disappeared persons;

12. Regrets the failure of the Government of Iraq to provide satisfactory and convincing replies concerning the violations of human rights brought to the attention of the Special Rapporteur, and calls upon it to reply without delay in a comprehensive and detailed manner;

13. Urges, therefore, the Government of Iraq to accord its full cooperation to the Special Rapporteur of the Commission on Human Rights to enable him to make the appropriate recommendations to improve the human rights situation in Iraq;

14. Requests the Secretary-General to provide the Special Rapporteur with all the necessary assistance in carrying out his mandate;

15. Decides to continue its consideration of the situation of human rights in Iraq during its forty-eighth session under the item entitled "Human rights questions" in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION XXV

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 11/ and the International Covenants on Human Rights, 20/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in the field,

Recalling Commission on Human Rights resolution 1992/67 of 4 March 1992, 15/

Regretting that the Government of the Islamic Republic of Iran, after having allowed the Special Representative of the Commission on Human Rights to pay three visits to that country, has discontinued its cooperation with the Special Representative,

Noting the Special Representative's observation that international supervision of the situation of human rights in the Islamic Republic of Iran should be maintained,

Noting that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1992/15, condemned the continuing grave violations of human rights in the Islamic Republic of Iran,

1. Takes note with appreciation of the interim report of the Special Representative of the Commission on Human Rights 60/ and the observations contained therein;

2. Expresses its deep concern at continuing reports of violations of human rights in the Islamic Republic of Iran;

3. Expresses its concern more specifically at the main criticisms of the Special Representative of the human rights situation in the Islamic Republic of Iran, namely, the high number of executions, the practice of torture, the standard of the administration of justice, the absence of guarantees of due legal process, the treatment of the Baha'i community and restrictions of freedoms of expression, thought, opinion and press;

4. Expresses its grave concern at the fact that, contrary to the earlier recommendation of the Special Representative, the application of the death penalty has been excessive;

5. Regrets that the Government of the Islamic Republic of Iran has not permitted the Special Representative to visit the country and failed to reply to allegations of human rights violations transmitted to it by the Special Representative in time to be reflected in the interim report;

6. Regrets also that, as the Special Representative concluded, the Islamic Republic of Iran has not given adequate follow-up to many of the recommendations contained in the previous reports;

7. Calls upon the Government of the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative in his observations, in particular as regards the administration of justice and due process of law;

60/ A/47/617, annex.

8. Also calls upon the Government of the Islamic Republic of Iran to comply with international instruments on human rights, in particular the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in these instruments;

9. Endorses the view of the Special Representative that the international monitoring of the human rights situation in the Islamic Republic of Iran should be continued;

10. Encourages the Government of the Islamic Republic of Iran to resume cooperation with the Special Representative;

11. Requests the Secretary-General to give all necessary assistance to the Special Representative;

12. Decides to continue the examination of the situation of human rights in the Islamic Republic of Iran during its forty-eighth session under the item entitled "Human rights questions" in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION XXVI

Situation of human rights in the territory of the former Yugoslavia

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 11/ the International Covenants on Human Rights, 20/ the International Convention on the Elimination of All Forms of Racial Discrimination, 56/ the Convention on the Prevention and Punishment of the Crime of Genocide, 61/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 62/ and international humanitarian law, including the Geneva Conventions of 12 August 1949 50/ and the additional protocols thereto of 1977, 51/

Deeply concerned at the human tragedy in the territory of the former Yugoslavia, and at the continuing massive and systematic violations of human rights occurring in most of that territory, particularly in the areas of Bosnia and Herzegovina under Serbian control,

---

61/ Resolution 260 A (III).

62/ Resolution 39/46.

Recalling Security Council resolutions 771 (1992) of 13 August 1992, 780 (1992) of 6 October 1992 and 787 (1992) of 16 November 1992, which inter alia, demand that all parties and others concerned in the former Yugoslavia immediately cease and desist from all breaches of international humanitarian law, and pursuant to which the Secretary-General has established a Commission of Experts to examine and analyse information relating to violations of humanitarian law being committed in the territory of the former Yugoslavia,

Recalling its resolution 46/242 of 25 August 1992, which demanded an end to the fighting, condemned the massive violations of human rights and international humanitarian law occurring in the territory of the former Yugoslavia, in particular the abhorrent practice of "ethnic cleansing", rejected recognition of the acquisition of territory by force and demanded the safe, unconditional and honourable repatriation of refugees and deportees to their homes,

Recalling also its resolution [...] condemning unreservedly "ethnic cleansing", and reiterating its conviction that those who commit or order the acts of "ethnic cleansing" are individually responsible and should be brought to justice,

Recalling that the Commission on Human Rights at its first special session of 1992 to consider the situation of human rights in the former Yugoslavia, adopted resolution 1992/S-1/1, in which it condemned in the strongest terms all violations of human rights within the territory of the former Yugoslavia, called upon all parties to cease those violations immediately and to take all necessary steps to ensure full respect for human rights and fundamental freedoms and humanitarian law and requested its Chairman to appoint a special rapporteur to investigate the human rights situation in the territory of the former Yugoslavia,

Noting with appreciation the efforts of the Special Rapporteur, as well as those of the Chairman of the Working Group on Arbitrary Detention, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, the Special Rapporteur on the Question of Torture and the Representative of the Secretary-General on Internally Displaced Persons, who accompanied him on one or both of his missions,

Welcoming the decision by the Commission on Human Rights to meet again in special session to consider the reports of the Special Rapporteur,

Encouraging the continuing efforts made in the framework of the International Conference on the Former Yugoslavia to find a peaceful solution to the situation in the former Yugoslavia, including the proposals made by the Co-Chairmen of its Steering Committee for the Constitution for the Republic of Bosnia and Herzegovina designed to protect human rights on the basis of fundamental human rights instruments,

Welcoming the consideration by the Human Rights Committee of the special reports from the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), Croatia and Bosnia and Herzegovina on the human rights situation in those parts of the territory of the former Yugoslavia, with respect to their obligations under the International Covenant on Civil and Political Rights,

Noting with concern the comments adopted by the Human Rights Committee following consideration of those special reports at its meeting held on 6 November 1992,

Welcoming the effort by the Conference on Security and Cooperation in Europe to prevent further human rights violations and its missions dispatched to the territory of the former Yugoslavia, including missions of long duration to Kosovo, Vojvodina and Sandjak, where the human rights situation remains a cause of great concern,

Gravely concerned at the human rights situation in the territory of the former Yugoslavia, and in particular at the continuing, odious practice of "ethnic cleansing", which is the direct cause of the vast majority of human rights violations there and whose principal victims are the Muslim population threatened with virtual extermination,

Alarmed that, although the conflict in Bosnia and Herzegovina is not a religious conflict, it has been characterized by the systematic destruction and profanation of mosques, churches and other places of worship, as well as other sites of cultural heritage, in particular in areas currently or previously under Serbian control,

1. Commends the Special Rapporteur for his reports on the situation of human rights in the territory of the former Yugoslavia; 63/

2. Expresses its grave concern at the Special Rapporteur's detailed reports of violations of human rights and humanitarian law in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and at his conclusion that most of the territory of the former Yugoslavia, in particular Bosnia and Herzegovina, is the scene of massive and systematic violations of human rights and grave violations of humanitarian law;

3. Condemns in the strongest possible terms the abhorrent practice of "ethnic cleansing", and recognizes that the Serbian leadership in territories under their control in Bosnia and Herzegovina, the Yugoslav Army and the political leadership of the Republic of Serbia bear primary responsibility for this reprehensible practice, which flagrantly violates the most fundamental principles of human rights;

63/ A/47/418-S/24516, annex; A/47/635-S/24766, annex; and A/47/666-S/24809, annex.

4. Condemns also the specific violations identified by the Special Rapporteur, most of which are caused by "ethnic cleansing", and which include killings, torture, beatings, rape, disappearances, destruction of houses, and other acts or threats of violence aimed at forcing individuals to leave their homes, as well as reports of violations of human rights in connection with detention;

5. Condemns further the indiscriminate shelling of cities and civilian areas, the systematic terrorization and murder of non-combatants, the destruction of vital services, the besieging of cities and the use of military force against civilian populations and relief operations by all sides, recognizing that the main responsibility lies with Serbian forces;

6. Demands that all parties involved in the former Yugoslavia, and especially those most responsible, cease these violations immediately, take appropriate steps to apprehend and punish those who are guilty of perpetrating or authorizing the violations, including those violations in connection with detention, and take all necessary measures to ensure the enjoyment of human rights and fundamental freedoms, in accordance with their obligations under the Geneva Conventions of 1949, and the Additional Protocols thereto of 1977, the International Covenants on Human Rights, and other international human rights instruments;

7. Reaffirms that all persons who perpetrate or authorize crimes against humanity and other grave breaches of international humanitarian law are individually responsible for those breaches and that the international community will exert every effort to bring them to justice, and calls on all parties to provide all pertinent information to the Commission of Experts in accordance with Security Council resolution 780 (1992);

8. Expresses deep concern at the number of disappearances and missing persons in the former Yugoslavia, and calls on all parties to make all possible efforts to account for those missing;

9. Demands an immediate end to the practice of "ethnic cleansing", and in particular that the Government of the former Federal Republic of Yugoslavia (Serbia and Montenegro) use its influence with the self-proclaimed Serbian authorities in Bosnia and Herzegovina and Croatia to bring the practice of "ethnic cleansing" to an immediate end and to reverse the effects of that practice;

10. Reaffirms that States are to be held accountable for violations of human rights which their agents commit upon the territory of another State;

11. Expresses its complete support for the victims of these violations, reaffirms the right of all persons to return to their homes in safety and dignity, considers invalid all acts made under duress affecting ownership of property and other related questions, and recognizes the right of victims of "ethnic cleansing" to receive reparation for their losses;

12. Condemns in particular the violations of human rights and humanitarian law in connection with detention, including killings, torture and the systematic practice of rape, and calls upon all parties in the former Yugoslavia to close immediately all detention centres not in compliance with the Geneva Conventions and to release immediately all persons arbitrarily or illegally detained;

13. Demands that the International Committee of the Red Cross, the Special Rapporteur, the Conference on Security and Cooperation in Europe missions and other relevant international humanitarian organizations be granted immediate, unimpeded and continued access to all camps, prisons and other places of detention within the territory of the former Yugoslavia;

14. Expresses its grave concern at the Special Rapporteur's report on the dangerous situation in Kosovo, Sandjak and Vojvodina, urges all parties there to engage in a meaningful dialogue under the auspices of the International Conference on the former Yugoslavia, to act with utmost restraint and to settle disputes in full compliance with human rights and fundamental freedoms, and calls upon the Serbian authorities to refrain from the use of force, to stop immediately the practice of "ethnic cleansing" and to respect fully the rights of persons belonging to ethnic communities or minorities, in order to prevent the extension of the conflict to other parts of the former Yugoslavia;

15. Calls upon the parties to implement immediately all commitments made in the framework of the International Conference on the former Yugoslavia and to work together to ensure the success of the Conference, and welcomes in this regard the acceptance by the Government of Bosnia and Herzegovina of the constitutional proposals of the Co-Chairmen as a basis for negotiations;

16. Endorses the resolution adopted by the Commission on Human Rights at its second special session of 1992 addressing the reports of the Special Rapporteur, in particular its call for all States to consider the extent to which the acts committed in Bosnia and Herzegovina and in Croatia constitute genocide, in accordance with the Convention on the Prevention and Punishment of the Crime of Genocide; 61/

17. Calls upon all United Nations bodies, including the United Nations Protection Force and the specialized agencies, and invites Governments and informed intergovernmental and non-governmental organizations to cooperate fully with the Special Rapporteur and in particular to provide him on a continuing basis with all relevant and accurate information in their possession on the situation of human rights in the former Yugoslavia;

18. Urges all States, United Nations bodies, including the specialized agencies, and the Special Rapporteur and, as appropriate, international humanitarian organizations, to make available substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia to the Commission of Experts pursuant to Security Council resolution 780 (1992);

19. Urges all States and relevant organizations to consider implementation of the recommendations of the Special Rapporteur, and in particular:

(a) Welcomes the Special Rapporteur's call for the opening of humanitarian relief corridors to prevent the imminent death of tens of thousands of persons in besieged cities;

(b) Welcomes the Security Council's invitation in its resolution 787 (1992) to the Secretary-General, in consultation with the United Nations High Commissioner for Refugees and other relevant agencies, to study the possibility and requirements for the promotion of safe areas and the Special Rapporteur's recommendation for the creation of such security zones for the protection of displaced persons, while keeping in mind that the international community must not acquiesce in demographic changes caused by "ethnic cleansing";

(c) Draws the attention of the Commission of Experts established by Security Council resolution 780 (1992) to the need for an immediate and urgent investigation by qualified experts of a mass grave near Vukovar and other mass grave sites and places where mass killings are reported to have taken place, and requests the Secretary-General, within the overall budgetary framework of the United Nations, to make available all necessary resources for this undertaking and for the other work of the Commission;

20. Requests the Secretary-General to take all necessary steps to ensure the full and effective coordination of all United Nations bodies to implement the present resolution, and calls upon those bodies concerned with the situation in the territory of the former Yugoslavia to coordinate closely with the Special Rapporteur and the Commission of Experts;

21. Also requests the Secretary-General, within the overall budgetary framework of the United Nations, to make all necessary resources available for the Special Rapporteur to carry out his mandate and in particular to provide him with a number of staff based in the territories of the former Yugoslavia adequate to ensure effective continuous monitoring of the human rights situation there and coordination with other United Nations bodies involved, including the United Nations Protection Force;

22. Further requests the Secretary-General to give all other necessary assistance to the Special Rapporteur to enable him to fulfil his mandate;

23. Decides to continue its examination of the situation of human rights in the former Yugoslavia during its forty-eighth session under the item entitled "Human rights questions".

114. The Third Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Award of human rights prizes in 1993

The General Assembly, on the recommendation of the Third Committee, considering that the year 1993 will mark the forty-fifth anniversary of the Universal Declaration of Human Rights, bearing in mind the need to promote the universal observance and enjoyment of human rights and recalling its resolution 2217 (XXI), which approved the award of prizes in the field of human rights, decided to request the Secretary-General to make the neessary arrangements for the award of human rights prizes in 1993, as envisaged in recommendation C of the annex to General Assembly resolution 2217 A (XXI) of 19 December 1966.

DRAFT DECISION II

United Nations Voluntary Fund for Indigenous Populations

The General Assembly, on the recommendation of the Third Committee, having taken note of the report of the Secretary-General (A/47/626) on the status of the United Nations Voluntary Fund for Indigenous Populations, decides:

(a) To call upon Governments, non-governmental organizations and representatives of indigenous groups to consider contributions to the Fund and to disseminate widely information about the activities of the Fund;

(b) To request the Secretary-General to report to the General Assembly at its forty-ninth session on the status of the United Nations Voluntary Fund for Indigenous Populations.

DRAFT DECISION III

Reports considered under the item entitled "Human rights questions"

The General Assembly decides to take note of the following documents:

(a) Report of the Secretary-General on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes; 64/

64/ A/47/479.

(b) Report of the Secretary-General on human rights and mass exoduses; 65/

(c) Note by the Secretary-General transmitting the preliminary report on the situation of human rights in South Africa prepared by the Ad Hoc Working Group of Experts on Southern Africa of the Commission on Human Rights; 66/

(d) Note by the Secretary-General transmitting the recommendations contained in the report of the International Workshop on National Institutions for the Promotion and Protection of Human Rights, entitled "Principles relating to the status of national institutions". 67/

65/ A/47/552.

66/ A/47/676, annex.

67/ A/47/701, annex.